

Appl. No. 10/754,462
Amdt dated December 14, 2005
Reply to Office action of Sept. 15, 2005

REMARKS

Claims 1, 2 and 4-6 are presently in the application. Claim 3 has been canceled.

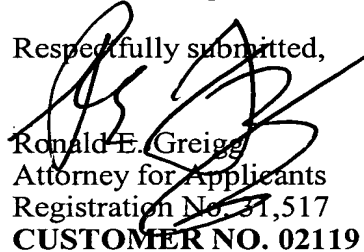
Reconsideration of the rejection of claims 1, 2 and 4-6 under 35 USC 102(e) as anticipated by Boisseau (US Publication No. 2005/0126864) is respectfully requested.

Boisseau is **not** available as a reference under 35 USC 102(e), because it resulted from an international application and the International application was not published under PCT Article 21(2) in English. Therefore, it has no 102(e) date. See MPEP 706.02(f)(1).

However, Boisseau's International application was published October 23, 2003 as WO 03/087617, and is a reference under 35 USC 102(a) as of that date. Applicants' German priority application was filed on January 23, 2003. Therefore, in order to eliminate the WIPO publication as a reference, applicants are submitting with this amendment an English-language translation of their German priority application and a statement that the translation of the certified copy is accurate.

Entry of the amendment and allowance of the claims are respectfully requested.

Respectfully submitted,


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Attachments: Translation Declaration & Translation of German Priority Application

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